

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ANTONIO HENDERSON,

Plaintiff,

v.

MIKE DEWINE, et al.,

Defendants.

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Case No. 2:22-cv-02606

Chief Judge Algenon L. Marbley

Magistrate Judge Chelsey M. Vascura

ORDER

This matter is before the court on Magistrate Judge Chelsey M. Vascura's January 26, 2023, Report and Recommendation (ECF No. 17). The Report recommended that the Court dismiss this action without prejudice for failure to prosecute pursuant to Fed. R. Civ. P. 41(b). Plaintiff has failed to pay the filing fee required to commence this action within thirty days of this Court's December 19, 2022, Order denying Plaintiff's Motion for Leave to Proceed *In Forma Pauperis*. (See Op. & Order, ECF No. 16).

The Court has reviewed the Report and Recommendation. Noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, this Court **ADOPTS** the Magistrate Judge's Report and Recommendations. Accordingly, this case is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute under Rule 41, and Plaintiff's Motion for Order to Show Cause (ECF No. 2) is **DENIED AS MOOT**. It is further **ORDERED** that Plaintiff list this case, No. 2:22-cv-02606, as a related case if he re-files this case. Finally, the filing fee will not be assessed in this matter.

IT IS SO ORDERED.



ALGENON L. MARBLEY
CHIEF UNITED STATES DISTRICT JUDGE

DATED: March 23, 2023